

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN

In Re:

GLADYS HARRISON

Debtor(s)

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Case No. 15-52304-PJS

Chapter 13

Hon. SHEFFERLY

OBJECTIONS TO CONFIRMATION

NOW COMES Creditor, CAPITAL ONE AUTO FINANCE, A DIVISION OF CAPITAL ONE, N.A., by and through its attorneys, BUTLER, BUTLER & ROWSE-OBERLE, P.L.L.C., and objects to the confirmation of the Debtor's proposed Chapter 13 Plan as follows:

1. Creditor is the holder of a perfected security interest in a 2008 CHEVROLET IMPALA VIN# 2G1WT58K189256114.

2. The balance owing Creditor as of the date of the bankruptcy petition was \$12,083.00.

3. LAKISHIA STREET, non-filing Co-Debtor, is jointly obligated on the debt.

4. Creditor objects to being paid less than the full amount of its claim while the 11 U.S.C. §1301 Co-Debtor Stay remains in effect preventing Creditor from proceeding against the non-filing co-debtor during the pendency of this Chapter 13.

5. The fair market value of the vehicle as listed in the Debtor's proposed Chapter 13 Plan is \$5,000.00.

6. Creditor believes that its security is improperly valued and believes the true value to be \$11,524.00 pursuant to the N.A.D.A. Official Used Car Guide.

7. Creditor objects as the proposed Plan does not provide contract interest on Creditor's secured claim in contravention of §1325(a)(5) and §506(b).

8. Creditor objects to the Debtor's Plan as the Plan does not provide for equal monthly payments to Creditor on its secured claim in contravention of 1325 (a)(5)(B)(iii)(I).

WHEREFORE, Creditor prays that this Honorable Court will deny confirmation as proposed.

BUTLER, BUTLER & ROWSE-OBERLE, P.L.L.C.

/s/ KAREN L. ROWSE-OBERLE (P41893)  
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October 12, 2015

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 12, 2015, I electronically filed the Objection to Confirmation of Plan with Clerk of the Court using the ECF system which will send notification of such filing to the following:

**-Thomas Paluchniak, Attorney for Debtor(s)**

**-Krispen S. Carroll, Chapter 13 Trustee**

BUTLER, BUTLER & ROWSE-OBERLE, PLLC

/S/ Bridgette Dockery

Legal Assistant

Butler, Butler & Rowse-Oberle, P.L.L.C.

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